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Names of attorney(s)
Larry D. Lewis
Pro Se (Indigent/Homeless)

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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FL
OCALA, FLORIDA

Plaintiff name(s),

Larry D Lewis

Plaintiff,

vs.

Defendant name(s),

Michael J Robertson,
MUGSHOTS.COM, MUGSHOTS
OCALA, THE STATE OF
FLORIDA, THE CITY OF
OCALA, THE OCALA STAR
BANNER, JAILBASE.COM,
GOOGLE, Sergey Brin,
Defendants

Case No. 5:15-CV-297-De-39 PRL

COMPLAINT

Defamation Of Character (Libel),
Violation of Civil Rights, False
identification, Violation of Right of
Publicity, Fraud, Negligence,
Double Jeopardy

On the 22nd day of April, 2015, I was unlawfully arrested for an alleged crime that I did not commit. I was held in the Marion County Jail for 29 days before I was released with all charges dropped.

Mugshots Ocala posted my photo with my name, height, weight, and the alleged charges and spread this false accusation that I committed a burglary of an unoccupied dwelling unarmed near my place of residence without any evidence. Ocala Mugshots posted my photo and this false accusation in their newspaper which is sold throughout the City that I live in. My image and charges are on their website and is even on their Facebook page..

While looking for my mugshot on the Mugshots Ocala Facebook page, I came

across another mugshot of myself from March 15th 2011 with a very bold statement typed by the Administrator of the Facebook page which stated "CHILD ABUSE" in all capital letters directly above my name and photo. Underneath this photo are comments from individuals who can only go by what Mugshots Ocala had posted on their page.. There were comments left under my photo making fun of my name, comments that read "Light him on fire then put him out with an Ax", and a few other posts that have been posted on their site for years without any updates as to if my charges were dropped, or even an effort to delete the comments that were wishing death upon me..

The comment that bothered me the most was from a female named Ashley Marie Freet who was one of my friends on Facebook that I would talk to occasionally. She acknowledged knowing me in her comment and being surprised as to my arrest for such a charge. She deleted and blocked me from Facebook and we have never talked since. That particular post on the Mugshots Ocala Facebook page put an end to one of my friendships due to their defamatory post concerning me. I was posted on their Facebook page as being a Child Abuser even though, all charges were dropped.

So, seeing that I actually have 2 mugshots posted on their sites from cases that were completely dropped and they haven't done anything at all to attempt to take down my photos, do an updated story, but continue to harass me and violate my constitutional rights, I have been left with no option but to fight back and file this complaint. All parties involved violated my Personality Rights (The Right Of Publicity). I never granted anyone creative commons to my image (mugshot) or my name if the name is really mine. If the all capital name is not mine, then I believe that should fall under the category of False and Misleading Advertising because they advertised my image belonging to a name that is not my name. My name is not spelled with all capitals. I am not the all capital STRAW MAN TRUST. This should also be considered presenting false identification on the defendants part for publishing an inaccurate identification of my image with a name which is not mine, that I do not own, If I do not own it.. If I do own it, then all defendants will be ordered to pay me a relief for using my name in a defamatory manner. I am the flesh and blood living man who spells his name with only the first letter being capital and the rest lowercase which means I was falsely identified in either name or image by all defendants listed above. I was falsely arrested and forced to take a picture and pay for the actual Photo I.D. that the photo was

also used for..I own my image. No one owns me. I am the flesh and blood living man and my image should not be taken and used against me against my will. Due to Mugshots Ocala's negligence as well as the negligence of all defendants involved that could easily do a much better job of protecting the rights of their Florida Citizens to not be charged with a crime, found not guilty, but still profiled as inmates charged with these crimes, they are all negligent, aware of the issue, but refusing to correct it.. I also consider this double jeopardy as well. To be charged for a crime and to beat the charges, but I am still slandered and documented in a defamatory manner even after the charges were dropped. I have been punished twice for a crime that I did not commit and could not be convicted of.

The Ocala Star Banner is listed as being the one to contact for corrections to be made on The Mugshots Ocala website and this is why The Ocala Star Banner is mentioned in my Complaint. The Ocala Star Banner has stated that they are also responsible for anything that might be posted wrong or unlawfully on the Mugshots Ocala website and I have images of those statements as well. When I was arrested on April 22nd 2015, I asked the booking officer if I could refuse to take my mugshot image because I didn't want my image being posted in the Mugshot Ocala magazine. He stated they have nothing to do with Mugshots Ocala. The Officer stated that Mugshots Ocala just goes onto their site and takes mugshots from the Marion County Jail database without any permission. That sounds like offense against a computer system and unauthorized access. I would like to know if The Marion County Jail is allowing Mugshots Ocala to go into their sites and do these acts of defamation to indirectly violate rights to due process by character assassination and presenting those arrested as appearing guilty even after proven innocent. Seeing my image and charges still posted all over the internet is like double jeopardy. I feel as though I have been charged and found guilty of the charges because there are people who are detached from the actual legal process who only know what these mugshot sites are presenting to them under the safeguard of the state of Florida and Ocala Florida itself as well as Google and Sergey Brin caring more about blackmailing individuals to have their images removed from the internet for a fee (18 USC § 873), Receiving the Proceeds of extortion (18 USC § 880), 18 USC § 641 — Public money, property or records. Whoever embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any

property made or being made under contract for the United States or any department or agency thereof. All defendants are guilty of this either directly or through accepting a portion of the money earned through a tax paid by the other defendants. It is a conflict of interest, fraud, and much more..

The State of Florida and The City of Ocala has allowed this to go on for too long without any mandatory enforcement of restrictions for Mugshots Ocala, Michael J Robertson, The Ocala Star Banner, Jailbase.com, Google, and it's CEO Sergey Brin. Google is negligent because the company obviously does business in the Marion County and Ocala Florida jurisdiction due to their website availability in the city and state as well as their ability to make money in and from the city and state as well. Every time my image is looked up, it is done so through Google or one of its other online companies which then links to Jailbase.com, Mugshots.com, Mugshots Ocala, or Mugshots Ocala.com. All defendants have received money from my image and the pain and suffering that I have experienced and still continue to experience due to my image being placed on their sites without any follow up information. I believe the owners of these sites are violating competency laws seeing that a certain level of competency is required in order to participate in legal actions. The owners of these internet websites are not competent enough to involve themselves in an legal matter that involves individuals such as myself. Their lack of competency in the matter has been proven by old mugshots of people whos charges were dropped still being posted on their websites 4 years after the charges were dropped just so they could continue to make money off of another persons image and the defamatory charges that they possessed.

Prayer for Relief

I am seeking \$5,000,000 for the pain and suffering that the defendants have caused me by defaming my character, violating my right of publicity, public humiliation, harassment, character assassination, fraud, the loss of friends and business opportunities, blackmail, image theft, Double Jeopardy because I was charged with these alleged crimes and held for a certain amount of time which caused loss before being released and then seeing these defaming images still accusing me of these same charges even years after I have been found not guilty.. When an accused persons charges are dropped, all things that were a result of him being initially charged should be removed as though

he or she was never charged to begin with which was not the case in this matter. When my alleged criminal history is searched online, employers will see these mugshots which would cost me future loss of work and pay as well as being judged by people who might come across my image without any follow up story. I would just continue to be defamed and humiliated. When certain females search for my name on Google, they will come across these charges that were dropped as well as my family and sons, my grandchildren, The Department of Children and Families will also use this against me if I ever attempt to get legal custody of my children. That child abuse post could always be used against me in that matter. This is why this situation is so important and must be taken care of. These images and accusations remain on the web forever. It is an eternal defamation of character as well as an eternal fraud committed by all of the defendants listed above because they will all receive payments from this fraud for as long as their businesses exist while I am stuck being profiled and humiliated for their financial gain. This is unacceptable. If the all capital name is mine (mine which means belongs to me) then I will charge each defendant an additional \$1,000,000 for using my name against my will in a defamatory manner. And if the name is not considered mine or owned by me, then I would like to charge the defendants listed above an additional \$1,000,000 for falsely identifying my image with a name that is not my name.

Due process provides the "Right of Pro Se litigants are to be construed liberally and held to less stringent standard than formal pleadings drafted by lawyers; if court can reasonably read pleadings to state valid claim on the the litigant could prevail, it should do so despite failure to cite proper legal author, confusion of legal theories, Syntax and sentence construction, or litigants unfamiliarity with pleading requirements. Haines V. Kerner. Hughes V. Rowe.

Larry D. Lewis

Date 6/12/2015